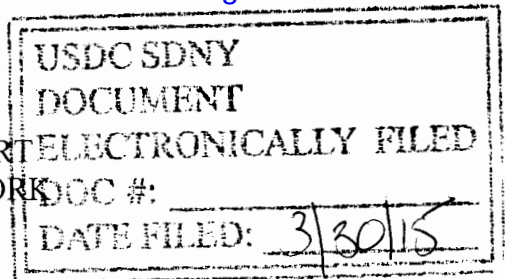


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SHERYL WULTZ, individually, as personal representative of the Estate of Daniel Wultz, and as the natural guardian of Abraham Leonard Wultz, YEKUTIEL WULTZ, individually, as personal representative of the Estate of Daniel Wultz, and as the natural guardian of Abraham Leonard Wultz, AMANDA WULTZ, and ABRAHAM LEONARD WULTZ, minor, by his next friends and guardians Sheryl Wultz and Yekutiel Wultz,

Plaintiffs,

-against-

BANK OF CHINA LIMITED,

Defendant.

No. 11 Civ. 1266 (SAS)

[PROPOSED] ORDER

As alleged in Plaintiffs' Complaint, the suicide bombing that gave rise to Plaintiffs' claims (the "Bombing") occurred on April 17, 2006. Plaintiff Abraham Leonard Wultz was not born until November 29, 2007, more than 19 months after the bombing.

On May 14, 2012, the United States District Court for the District of Columbia issued a Memorandum and Opinion (the "May 14, 2012 Memorandum and Opinion") dismissing with prejudice claims arising from the Bombing that were brought by Abraham Leonard Wultz against the Islamic Republic of Iran, Iranian Ministry of Information and Security, Syrian Arab Republic, Syrian Ministry of Defense, Syrian Military Intelligence, and Syrian Air Force Intelligence Directory, on the basis that Abraham Leonard Wultz was not yet alive at the time of the Bombing (*see Sheryl Wultz, et al. v. Islamic Republic of Iran, et al.*, No. 08 Civ. 1460 (RCL)

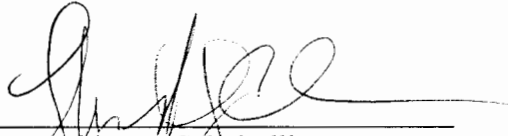
(D.D.C. Jun. 4, 2012) (ECF No. 134); *see also* Restatement (Second) of Torts § 46(2)(a) (providing that liability for extreme and outrageous conduct causing severe emotional distress to a third party lies only where “[s]uch conduct is *directed at* [the] third person”) (emphasis added)).

This Court agrees with, and hereby adopts, the reasoning set forth in the May 14, 2012 Memorandum and Opinion.

Accordingly, it is hereby ordered that all claims of Abraham Leonard Wultz against Bank of China Limited are dismissed with prejudice, and that his name may be removed from the caption of this matter.

SO ORDERED:

Dated: March 30, 2015
New York, New York



Hon. Shira A. Scheindlin
United States District Judge